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Execution Possible in Spy Case, Air Force Says

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SAN FRANCISCO—The Air Force confirmed Wednesday that an enlisted man arrested on espionage charges is being accused of violating a newly enacted law that carries with it the death penalty.

However, Sgt. Daryl E. Green, spokesman at Beale Air Force Base, near Marysville, said military prosecutors have not decided whether to actually seek the death penalty against Airman 1st Class Bruce D. Ott, who was arrested in Davis on Jan. 22.

"That is the maximum penalty that that charge carries. We don't know yet what they will be seeking," Green said.

Ott's defense lawyer had said Tuesday, when the arrest was made public, that there was a possibility that the 25-year-old enlisted man from Waterford, Pa., could be executed.

Ott, who did clerical duties at Beale Air Force Base, has been accused of trying to sell sensitive information to the Soviets. Military and law enforcement authorities believe that no documents changed hands.

While officials would not disclose the type of information involved, the highly sophisticated SR-71 spy aircraft is based there, as are U-2

and TR-1 aircraft, which also are used in aerial surveillance.

The statute under which Ott was charged was enacted by Congress last year in the wake of the Navy spy scandal in which retired communications specialist John A. Walker admitted passing information to the Soviets during an 18-year period.

The law in effect when Walker and others in his spy ring were indicted did not clearly provide that capital punishment could be imposed for spying.

The revised statute, part of the Uniform Code of Military Justice, allows the death penalty for any

enlisted man or officer caught spying in or near a military or defense installation. Ott is the first person charged with violating the new law, which went into effect in November.

The last person executed by military is believed to have been John A. Bennett. He was put to death in 1961 after a conviction on rape and attempted murder charges.

In Yuba City, meanwhile, Will Rickey, an insurance agent and

financial planner, said a man identifying himself as Ott approached him on Jan. 16 saying he had large amounts of money—between \$100,000 and \$200,000—to invest.

Rickey said Ott, who had been living in Yuba City, told him the cash was from the sale of an accounting business in Pennsylvania. Ott said he wanted to buy two or three houses in Yuba City or Marysville, according to the insurance agent.

"There were discrepancies. He

didn't know anything about taxes. He was evasive," Rickey said. Rickey said he has not been contacted by the FBI or Air Force agents.

Rickey added that Ott had said he would be picking up the money in Sacramento and have it by Jan. 21. Ott canceled that appointment and rescheduled it for Jan. 29, the insurance agent said.

Dan Morain reported from San Francisco and Mark Gladstone from Yuba City.